

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

11 NATARAJAM GURUMOORTHY, 1:11-cv-00732-OWW-GSA-(PC)

12 Plaintiff,

1:11-cv-00732-OWW-GSA-(PC)

13 || vs.

ORDER TRANSFERRING CASE TO THE
NORTHERN DISTRICT OF TEXAS,
ABILENE DIVISION

14 | SIX UNKNOWN NAMES AGENTS,
et al.,

Defendants

18 Natarajam Gurumoorthy (“Plaintiff”) is a federal prisoner proceeding pro se with this civil
19 rights action pursuant to 42 U.S.C. § 1983, against Six Unknown Names Agents or President Barack
20 Obama (“Defendants”). Plaintiff is currently incarcerated at the Big Spring Federal Correctional
21 Institution in Big Spring, Texas, which is located in the Abilene Division of the Northern District of
22 Texas.

23 The federal venue statute requires that a civil action, other than one based on diversity
24 jurisdiction, be brought only in “(1) a judicial district where any defendant resides, if all defendants
25 reside in the same state, (2) a judicial district in which a substantial part of the events or omissions
26 giving rise to the claim occurred, or a substantial part of the property that is the subject of the action
27 is situated, or (3) a judicial district in which any defendant may be found, if there is no district in
28 which the action may otherwise be brought.” 28 U.S.C. § 1331(b).

1 In this case, none of the Defendants reside in this district. The claim arose in Howard
2 County, which is in the Northern District of Texas. Therefore, Plaintiff's case should have been filed
3 at the United States District Court for the Northern District of Texas. In the interest of justice, a
4 federal court may transfer a complaint filed in the wrong district to the correct district. See 28
5 U.S.C. § 1406(a); Starnes v. McGuire, 512 F.2d 918, 932 (D.C. Cir. 1974).

6 Accordingly, IT IS HEREBY ORDERED that this matter is transferred to the United States
7 District Court for the Northern District of Texas, Abilene Division.

8 || IT IS SO ORDERED.

Dated: May 17, 2011

/s/ **Gary S. Austin**
UNITED STATES MAGISTRATE JUDGE